From: Leopold, Matt [Leopold.Matt@epa.gov]

Sent: 3/25/2018 4:26:44 PM

To: Ross, David P [ross.davidp@epa.gov]

Subject: Re: Potential approach for addressing ESA issues arising in Florida 404 assumption process

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Mar 25, 2018, at 11:32 AM, Ross, David P < ross.davidp@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Sent from my iPad

Begin forwarded message:

From: "Neugeboren, Steven" < Neugeboren. Steven@epa.gov>

Date: March 24, 2018 at 7:23:36 PM EDT **To:** "Ross, David P" <ross.davidp@epa.gov>

Cc: "Fotouhi, David" <Fotouhi.David@epa.gov>, "Wehling, Carrie"

<<u>Wehling.Carrie@epa.gov</u>>, "Kupchan, Simma" <<u>Kupchan.Simma@epa.gov</u>>, "Wade, Alexis" <<u>Wade.Alexis@epa.gov</u>>, "Messier, Dawn" <<u>Messier.Dawn@epa.gov</u>>, "Best-Wong, Benita" <<u>Best-Wong.Benita@epa.gov</u>>, "Goodin, John" <<u>Goodin.John@epa.gov</u>>, "Eisenberg, Mindy" <<u>Eisenberg.Mindy@epa.gov</u>>

Subject: Potential approach for addressing ESA issues arising in Florida 404 assumption process

Dave - At Matt's request WLO has worked to develop an approach to help address concerns raised by Florida and stakeholders with regard to state assumption and

federally listed species - Ex. 5 AC/DP

Ex. 5 AC/DP

We developed the attached paper and briefed Matt last week and he thought it was a promising approach so asked us to share it with you.

I am **Ex. 6 Personal Privacy (PP)** so if you have any question or would like to discuss you can reach out to Carrie Wehling.

John – sharing with you all per our conversation on Friday. We discussed this approach with Phil in the region but have not shared the paper as of yet. I suggest outreach to them be coordinated between OW and OGC.

Steve Neugeboren

Associate General Counsel for Water U.S. EPA 1200 Pennsylvania Ave., NW Washington, DC 20460 202 (564-5488)

<FL Assumption ESA Hot issues paper 03-22-18.docx>